



## Austin City Council MINUTES

For JULY 2, 1987 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Mayor Pro Tem Trevino & Councilmember Urdy. They both entered later in the day.

### MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meeting of June 25, 1987 and special meetings of June 23, 25 (9:00 a.m. , 25 (3:00 p.m.), 1987. (4-0 Vote, Councilmember Carl-Mitchell out of the room, Councilmember Urdy and Mayor Pro Tem Trevino absent)

### CITIZEN COMMUNICATIONS

Mr. Frank L. Wright discussed the loan indemnification program. Mr. Robert S. Hanes talked about annexation of a peninsula on the northwest corner of 360 and Bee Caves Road. Ms. Bertha James who had requested to speak about honey bees and development of a regulatory ordinance withdrew her request to speak. Ms. Shudde Fath talked about electric rates.

### RESOURCE MANAGEMENT COMMISSION

Roger Duncan, chairperson, Resource Management Commission, reported on their recommendations on Brown and Root settlement. Council directed an item on the July 16, 1987 agenda to consider recommendations. Listing will be under Old Business.

### NO REPORT

No report was presented on the Austin Convention and Visitor Bureau, Inc.

## ITEM POSTPONED

Postponed indefinitely is consideration of a Legislative Proceedings Ordinance.

## ZONING ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent)

- (1) JACK A. MILLER/                      12124 Jekel Circle                      From "SF-3" to  
GILBERT G. BOYD                      "LI"  
C14-84-507

First reading on March 7, 1985, (6-0). Conditions have been met as follows: Right-of-way on Jekel Circle has been dedicated by Street Deed.

- (2) JOHN E. SIMMONS,                      North of proposed                      From Interim "RR"  
TRUSTEE                      Palmer Lane & East of                      to "IP"  
C14r-85-050                      I.H. 35 North

First reading May 2, 1985, (6-0). Conditions have been met as follows: Site plan not needed - property does not take access.

- (3) OAK HILL ASSEMBLY                      8203 West Highway                      From Interim "RR"  
OF GOD                      71                      to "LO"  
C14-85-288.92

First reading on April 16, 1987, (5-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (4) WM. CANNON JOINT                      607-817 North Bluff                      From "SF-3" & "MF-2"  
VENTURE                      Drive                      to "GR", "NO" &  
By Cox, Croslin                      "RR"  
& ASSOC.  
C14-86-144

First reading on October 8, 1986, (6-0). Mayor Frank C. Cooksey absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Right-of-way on North Bluff Drive has been dedicated by Street Deed. Development restricted to that shown on site plan attached as exhibit to the ordinance.

- (5) B. J. & PEARL BARTLEY                      7900 Hudson Loop                      From Interim "RR"  
C14-85-288.153                      to "CS"

7/2/87

First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- |     |                             |  |                                  |
|-----|-----------------------------|--|----------------------------------|
| (6) | JOHN HUBER<br>C14-85-149.13 | In the general area<br>of Oak Creek Drive<br>and Burnet Road | From Interim "SF-2"<br>to "SF-6" |
|-----|-----------------------------|--|----------------------------------|

First reading on November 21, 1985, (6-0). No conditions to be met.

- |     |  |   |                                  |
|-----|--|---|----------------------------------|
| (7) | JOHN LYDA, BALCONES<br>LITTLE LEAGUE, INC.,<br>AND TRAVIS COUNTY<br>C14-85-149 | North of Adelphi Ln.,<br>south of proposed<br>Farmer Lane, west of<br>Waters Park Road.,<br>east of Yett Lane | From Interim "SF-2"<br>to "SF-6" |
|-----|--|---|----------------------------------|

First reading on August 22, 1986, (6-0). No conditions to be met.

- |     |   |   |                                  |
|-----|---|---|----------------------------------|
| (8) | NPC<br>By Steve Paulson<br>C14-85-244.13a | South of the proposed<br>Farmer Lane, west of<br>Missouri Pacific<br>Railroad north of<br>North Star Road | From Interim "SF-2"<br>to "SF-2" |
|-----|---|---|----------------------------------|

First reading on January 30, 1987, (7-0). No conditions to be met.

- |     |                               |               |                                  |
|-----|-------------------------------|---------------|----------------------------------|
| (9) | RAYMOND TODD<br>C14-85-149.17 | 10708 Macmora | From Interim "SF-3"<br>to "SF-6" |
|-----|-------------------------------|---------------|----------------------------------|

First reading on December 3, 1985, (6-0). Council-member Charles E. Urdy absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- |      |  |                         |                                |
|------|--|-------------------------|--------------------------------|
| (10) | WINETROUB-GOTTESMAN<br>JOINT VENTURE<br>C14-85-149.4 | 11304 Tedford<br>Street | From Interim "SF-2"<br>to "LR" |
|------|--|-------------------------|--------------------------------|

First reading on November 21, 1985, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- |      |                                    |                               |                        |
|------|------------------------------------|-------------------------------|------------------------|
| (11) | MRS. HARRY G. GARNER<br>C14-87-018 | 2206 Lake Austin<br>Boulevard | From "SF-3" to<br>"LO" |
|------|------------------------------------|-------------------------------|------------------------|

First reading on April 23, 1987, (6-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

7/2/87

r-86 MARION SKRUDLAND  
046 ET AL  
By C.G. Rutter

5808 Hwy. 290 West

From "DR"  
& "SF-2" to  
"GR" (amended)

LATER IN THE DAY:

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, voted to reconsider. (5-0 Vote, Councilmember Urdy and Mayor Pro Tem Trevino absent)

LATER IN THE DAY:

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, passed through second/third readings of the following zoning ordinance: (7-0 Vote)

r-86 MARION SKRUDLAND  
046 ET AL  
By C.G. Rutter

5808 Hwy. 290 West

From "DR"  
& "SF-2" to  
"GR" (amended)

WITH RESTRICTIVE COVENANT BETWEEN THE  
NEIGHBORHOOD ASSOCIATION & THE DEVELOPER

## ITEM POSTPONED

Postponed to July 16, 1987 is consideration of the following contract:

POWER ENTERPRISES, INC.  
Power Structures Division  
2704 Engineers Road  
Belle Chase, Louisiana

- CAPITAL IMPROVEMENTS PROGRAM -  
Tubular Steel Poles for a 35  
mile 345 KV Transmission Line  
from Lytton Springs to  
Trading Post Substation  
Electric Utility Department  
Total \$5,069,626.00 C.I.P. No.  
85/13-10

## OLD BUSINESS - CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmembers Urdy and Mayor Pro Tem Trevino absent)

License Agreements

Approved the following license agreements, subject to staff working out appropriate language for the license agreements.

7/2/87

- (1) To allow the State Department of Highways and Public Transportation to construct a Grade Separation within the right-of-way of the City-owned railroad at the proposed crossing of Parmer Lane, FM 734. (Request submitted by The State Department of Highways and Public Transportation)
- (2) To allow the Encroachment of Two Natural Gas Pipelines into the right-of-way of the City-owned railroad located at SP Mile Posts 59.87 and 61.24, and establishing a fee of \$200.00 per year for each line. (Request submitted by Phillips Natural Gas Company)
- (3) To allow the State Department of Highways and Public Transportation to construct a Grade Separation within the right-of-way of the City-owned railroad at the RM 620 crossing. (Request submitted by the State Department of Highways and Public Transportation)

#### Election Services Agreement

Authorized the City Manager to enter into an election services agreement with the Barton Springs-Edwards Aquifer Conservation District.

#### ITEM POSTPONED

Council had before them an ordinance to amend the 1986-87 Operating Budget by appropriating \$49,706.00 to the City Clerk's office for administration of the Barton Springs-Edwards Aquifer Conservation District confirmation election. They postponed it indefinitely on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 5-0 Vote, Councilmembers Urdy and Trevino absent.

#### CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent)

#### Exemption from Tap Expiration Ordinance

Approved request for an exemption to the Tap Expiration Ordinance from Mr. David Ihnen for 12301 Deer Track (Lot 4, Block E, Angus Valley Section 8).

Amended Legal Descriptions

Amended the following zoning ordinances to correct the legal descriptions:

- a. Ordinance No. 780608-G, Case No. C14-78-076  
(locally known as 4611 North I.H. 35)
- b. Ordinance No. 870326-E, Case No. C14-86-330  
(locally known as 2400-2406 and 2401-2431 Exposition,  
3100-3118 and 3200-3204 Windsor Road, 2400-2430  
Spring Lane, 2601-2621 Bowman Avenue)

EXCURSION BOAT ON TOWN LAKE

Council had before them for consideration an ordinance to consider approval of the temporary operation of an excursion boat on Town Lake pursuant to Section 9-10-28(b) (5) of the Austin City Code.

Council directed this be sent to PARD Board and Austin Rowing Club for their recommendations.

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmember Urdy and Mayor Pro Tem Trevino absent)

Release of Easements

Authorized release of the following easements:

- a. Portions of the 5' Electric and Telephone Easements of record in Volume 9518, Page 722, Travis County Deed Records, located in Harris Ridge, Phase I, Section I. (Request submitted by Espey, Huston & Associates on behalf of Storm Development, Inc.)
- b. A portion of a 10' Electric Easement of record in Volume 1559, Page 408, Travis County Real Property Records and located on Lot 15, Block "A", Mount Bonnell Shores Section II, 4706 Fred Eby Jr. Lane. (Request submitted by Mr. and Mrs. Richard Swallow)
- c. Portions of the 6' Public Utility Easements of record in Book 86, Page 7C-7D, Travis County Plat Records, located in Harris Ridge, Phase I, Section I. (Request submitted by Espey, Huston & Associates on behalf of Storm Development, Inc.)
- d. Portion of an Underground Electric Easement of record in Volume 7524, Page 266, Travis County Deed Records and located on Lot 2, Block 4, Oak Hill Heights, Section Three, 6802 La Concha Pass. (Request submitted by Mr. and Mrs. Larry G. Westfall)

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following easements for construction of wastewater improvements to the City of Austin's Wastewater System in the area of Shoal Creek between Steck Avenue and Research Boulevard:

- a. A 10-foot wide strip of land totaling .064 acres out of the James P. Wallace Survey No. 18 of Travis County, Texas, and including a 20-foot Temporary Work Space Easement along each side of the Permanent Easement.
- b. A 10-foot wide strip of land totaling .1248 acres out of the James P. Wallace Survey No. 18 of Travis County, Texas and including a 20-foot Temporary Work Space Easement along each side of the Permanent Easement.

Item Postponed - Eminent Domain Proceedings

Postponed until July 16, 1987, consideration of the following

- a. 1.303 square foot easement out of the James P. Wallace Survey, No. 57, for a Permanent Storm Sewer Easement and a Temporary Work Space Easement for the Rutherford Lane Improvement Project. C.I.P. No. 79/62-33
- b. A permanent Electrical Transmission Easement containing 4.16 acres of land out of the A. Troutwein Survey, No. 166 and the H. Ottens Survey, No. 55 in Travis County, Texas for the Circuit 3125 Project (Lytton Springs to Trading Post). C.I.P. No. 85/13-10
- c. A Permanent Electrical Transmission Easement containing 0.16 acres of land out of the William P. Baxter Survey, No. 58 in Travis County, Texas for Circuit 3125 (Lytton Springs to Trading Post). C.I.P. No. 85/13-10
- d. A 0.90 acre tract for a Permanent Electrical Transmission Easement out of a portion of Lot 19, Smokey Mountain Oaks, a subdivision in Travis County, Texas for the Circuit 3125 (Lytton Springs to Trading Post Project). C.I.P. No. 85/13-10
- e. A Permanent Electrical Transmission Easement containing 1.70 acres of land out of the H. Medlin Survey No. 540 in Travis County, Texas for the Circuit 3125 Project (Lytton Springs to Trading Post). C.I.P. No. 85/13-10
- f. A Permanent Electrical Transmission Easement containing 2.14 acres of land out of the William Baxter Survey No. 56 and the William Holton Survey No. 67 in Travis County, Texas for the Circuit 3125 Project (Lytton Springs to Trading Post). C.I.P. No. 85/13-10

Item Postponed

Postponed indefinitely is consideration of acquisition of a 215.438 acre site for the purpose of lime sludge disposal from Water Treatment Plant #4. C.I.P. No. 85/22-27

Capital Improvements Program

Approved a proposed Supplemental Amendment No. 4 to the Professional Services Agreement between the City of Austin and Parsons Brinckerhoff Quade and Douglas, Inc., for construction and post-construction phase engineering services associated with the Govalle Wastewater Service Area Interception and Diversion. C.I.P. No. 86/23-10.

Change Orders

Approved the following Change Orders:

- a. In the amount of \$40,373.00 to LEM CONSTRUCTION COMPANY for modifications, improvements and upgrades under the contract for nitrification and flood protection at the Govalle Wastewater Treatment Plant. (0.85% increase of the original contract) C.I.P. No. 73/23-83
- b. To White Construction Company, Inc., for the construction of a "Pediatric Day Surgery Unit Addition" to the "Children's Hospital of Austin" at Brackenridge, a separately identified Brackenridge 2000 project. C.I.P. No. 84/72-15.

Contracts Approved

Approved the following contracts:

- |  |   |
|--|---|
| a. C. C. TEAGUE & SON CONSTRUCTION COMPANY, INC.<br>3249 East Renner Road<br>Richardson, Texas | - CAPITAL IMPROVEMENTS PROGRAM -<br>Installation of Underground Electric Distribution Facilities for Escarpment Boulevard, Electric Utility Department<br>Total \$27,834.24 C.I.P. No. 87/15-01 |
| b. RAMCO CONTRACTORS, INC.<br>8401 Bluff Springs Road<br>Austin, Texas                         | - CAPITAL IMPROVEMENTS PROGRAM -<br>Lay-down Storage Area at Decker Power Plant, Electric Utility Department<br>Total \$54,626.00 C.I.P. No. 85/12-04   |

c. BECON CONSTRUCTION COMPANY,  
INC.  
650 North Belt East  
Houston, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Site Civil Work, Piping and  
Electrical Installation at the  
Decker Creek Power Station for  
the 200 MW Gas Turbine Project,  
Electric Utility Department  
Total \$1,786,100.00 C.I.P. No.  
85/12-04

d. NAYLOR INDUSTRIAL SERVICES  
Post Office Box 1099  
Rockdale, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Removal and Cleaning at Hornsby  
Bend Wastewater Treatment Plant  
Digester No. 10, Water and  
Wastewater Utility Department  
Total \$27,200.00 C.I.P. No.  
73/23-87

#### License Agreement

Entered into the following License Agreement:

- a. To allow the encroachment of telephone service into the right-of-way of the City-owned railroad located at Mile Post 3.86 and establishing a fee of \$200.00 per year for the line. (Request submitted by General Telephone)

#### Grant - Texas Department on Aging

Authorized submission of a grant in the amount of \$536,376.00 to the Capital Area Planning Council and the Texas Department on Aging for Title III-C Older Americans Act and U.S. Department of Agriculture funding for meals to approximately 650 persons, and transportation for 200 persons.

#### Public Hearings Set

Set public hearings on the following:

- a. Community Education will be back on the agenda July 16, 1987, for setting a public hearing.
- b. Acquisition of right-of-way from the City of Austin at Griswold Lane: July 16, 1987 at 5:00 p.m.

#### Item Postponed

Staff requested indefinite postponement of consideration of setting public hearings on July 16, 1987 and July 23, 1987 to discuss the proposed Urban Development Action Grant (UDAG) application for the Airport Automotive Plaza and Security Airpark Valet Project.

## ITEM POSTPONED

Postponed indefinitely is consideration of approval of Economic Development Endowment Trust Fund Guidelines.

## ITEM POSTPONED

Postponed to a public hearing at 6:00 p.m. on July 16, 1987, is consideration of amending the Capital Improvements Budget to abandon certain electric CIP projects and transfer the funds made available to other Electric CIP projects.

## WAIVERS FROM COMPREHENSIVE WATERSHEDS ORDINANCE

Council had before them for consideration the granting of waivers from the Comprehensive Watersheds Ordinance for the following, and ordinances were passed for two and denied for one.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, granted waivers from the Comprehensive Watersheds Ordinance for: (4-2-0 Vote, Mayor Cooksey and Councilmember Nofziger voted No.)

- (1) Seven Oaks Ranch, Section Two
- (2) Seven Oaks Ranch, Section Three

LATER IN THE DAY:

Motion to Reconsider

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Carl-Mitchell to reconsider. Motion passed 7-0.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance granting waivers from the Comprehensive Watersheds Ordinance for the following: (5-2 Vote, Mayor Cooksey and Councilmember Nofziger voted No.)

- (1) Seven Oaks Ranch, Section Two
- (2) Seven Oaks Ranch, Section Three

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Motion to DENY

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, DENIED granting waiver from Comprehensive Watersheds Ordinance for Brushy Creek Ranch. (6-0 Vote, Mayor Pro Tem Trevino absent) (This motion made before Mayor Pro Tem Trevino arrived)

## RIGHT-OF-WAY ORDINANCE

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's motion, passed through FIRST READING of an ordinance amending Chapter 13-14 (Right-of-Way Ordinance) of the Austin Code to provide for an exemption or temporary waiver from applicability of Chapter 13-14 to certain property not funded for roadway improvements. (4-2 Vote, Mayor Cooksey and Councilmember Nofziger voted No)

LATER IN THE DAY:

Motion to Reconsider

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, voted to reconsider. (7-0 Vote)

Motion

The same motion was passed on Councilmember Carl-Mitchell's motion and Councilmember Shipman's second. Motion passed by a vote of 5-2 with Mayor Cooksey and Councilmember Nofziger voting No.)

## GRANT OF EASEMENT TO CAPITAL METRO

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving an Amendment of Grant of Easement to Capital Metro on the Manor-to-Bertram portion of the City's railroad right-of-way. (6-0 Vote, Mayor Pro Tem Trevino absent)

## ITEM POSTPONED

Postponed to July 16, 1987 is consideration of first reading of the Development Processing Ordinance (13-1) and the Performance Overlay Ordinance.

## RECESS

Council recessed its meeting from 4:10 to 4:42 p.m.

## ZONING HEARING

Mayor Cooksey announced Council would hear zoning a zoning case scheduled for 4:00 p.m. Council heard, closed the public hearing and passed through FIRST READING OF AN ORDINANCE, the following:

-86 ST. EDWARDS  
300 UNIVERSITY  
By Anne S.  
Wynne

3200-3624 South  
I.H. 35  
401-1201 Blocks St.  
Edwards Drive  
100-1400 Blocks  
Woodward Street  
2801-3317 South  
Congress

From "SF-3", "SF-3-H",  
and "CS"  
To Tr. 1 "GR"  
Tr. 2 "GR"  
Tr. 3 "GO"  
Tr. 4 "MF-3"  
Tr. 5 "LO-MU"  
Tr. 6 "LR"  
Tr. 7 "GO-MU" & "GO-MU-H"  
NOT RECOMMENDED

FIRST READING

Council approved Planning Commission recommendation with agreements between the neighborhood association and St. Edwards, and approved Tract 4 "MF-3" with 21 units per acre

RECOMMENDED Tract 1 & 2 "GR", as recommended by the Staff, "RR" for the 100-year floodplain, FARs limited to .95 to 1.0 on Tract 1 and .25 to 1.0 for Tract 2, contingent on development under Urban Watershed Standards and sedimentation controls and excepting the following uses: Automotive Repair Services, Automotive Washing, Commercial Off-Street Parking, Exterminating Services, Pawn Shop Services, Service Station, Group Homes (All Classes) Guidance Services, Parking Facilities

(By Conditional Use Permit); Tract 3 "GO", "RR" for land area within the 100-year flood-plain with development under Urban Watershed Standards and sedimentation controls, and FARs limited to .20 to 1; Tract 4 "MF-2", limited to 20 upa; "RR" for the 100-year floodplain, development under Urban Watershed Standards and sedimentation controls; Tract 5 "LO-MU", limited to existing uses or same uses by a religious order, "RR" for land area within the 100-year floodplain, with development under Urban Watershed Standards and Sedimentation controls; Tract 6 "LR", Neighborhood Commercial with development under Urban Watershed Standards and sedimentation controls, limited to .20 FARs to 1.0; and Tract 7, "GO-MU", "GO-MU-H", "RR" for the land within the 100 year flood plain, limited to educationally-related uses only; development under Urban Watershed Standards and sedimentation controls. Any amendments to the Restrictive Covenant will require that notice be made to all property owners within the Sherwood Oaks Subdivision, as well as the required notification by City's ordinances. Applicant will be responsible for the costs of notification.

(On Mayor Cooksey's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

**EXECUTIVE SESSION**

Mayor Cooksey announced Council would enter Executive Session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending Litigation - Section 2, Paragraph e

- (b) City of Austin v. Houston Lighting and Power
- (d) Water Treatment Plant #4

7/2/87

## RECESS

Council recessed its meeting for executive session from 6:15 p.m. to 9:10 p.m.

## WATER TREATMENT PLANT #4

When Council returned after their executive session, Mayor Cooksey announced he would read a statement, which follows:

"There seems to be confusion due to differences between the written offer and oral statements of the LCRA concerning their proposal for the resolution of our differences on Water Treatment Plant #4. We have instructed our project manager and his team to clarify the offers of the LCRA, determine the differences, if any, and our respective approaches to the proposed contract tendered by the LCRA and to bring back to the Council a recommended response to the LCRA position within two weeks."

## NORTHEAST TRANSMISSION MAIN

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, approved the selection of professional engineering services of KIW ENGINEERING, INC. in connection with the planning, design and construction of the "Northeast Transmission Main Phase B". C.I.P. No. 86/22-23. (6-0 Vote, Councilmember Urdy out of the room)

## ZONING HEARINGS

Mayor Cooksey announced Council would continue with zoning hearings which had been scheduled for 4:00 p.m. Council heard, closed the public hearings and passed ordinances as follows:

r-84 BURNET ROAD  
443 LAND JOINT  
VENTURE  
By Terry Bray and  
Donna Kristaponis

12650 Burnet Road

From "RR" & "SF"  
To Tr. 1 "LO"  
Tr. 2 "GO"  
Floodplain "P"  
NO RECOMMENDATION  
(Not a Quorum Vote)

FIRST READING

GRANTED "LO" ON ENTIRE TRACT, "RR" FOR FLOODPLAIN AND  
APPROVED AGREEMENT BETWEEN NEIGHBORHOOD AND DEVELOPER

(On Councilmember Humphrey's motion, Councilmember Urdy's second, 4-3 Vote, Mayor Pro Tem Trevino, Councilmembers Carl-Mitchell and Nofziger voted No)

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7/2/87

-86 JOHN R. HAMILTON 300 Block West From "SF-2"  
317 By Espey, Huston Yager Lane To "GR" (as amended)  
& Associates FIRST READING

RECOMMENDED subject to an F.A.R. limitation of .25; the dedication of 45 feet of right-of-way from the centerline of Yager Lane; No Certificate of Occupancy to be issued until completion of Yager Lane CIP or TIA is submitted to OLDS demonstrating that additional traffic will not degrade existing traffic conditions; OLDS review of proposed access to Yager Lane; and \$34,840 letter of credit to be posted prior to issuance of building permit.

APPROVED AS RECOMMENDED WITHOUT FAR CAP, WITH A FRIENDLY AMENDMENT BY COUNCILMEMBER SHIPMAN TO INCLUDE SITE PLAN SUBMITTED BY APPLICANT,  
(1) FURNISH TIA ADDENDUM FOR CORNER  
(2) APPLICANT PRESENT ALL SITE PLANS TO NEIGHBORHOOD  
(3) TWO DRIVEWAY CUTS ON YAGER LANE

(On Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, 6-1 Vote, Councilmember Humphrey voted No.)

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-87 REALTEX FUNDING 8000 Block Convict From "RR"  
083 CORP. Hill Road To "SF-2"  
By Ambrust & EMERGENCY PASSAGE OF ORDINANCE  
Brown  
(Applicant requests emergency passage of ordinance)

RECOMMENDED subject to the procurement of a variance from the Williamson Creek ordinance to provide enclosed storm sewers in-lieu-of grass-lined swales.

-87 AUSTIN CHILD 810 West 45th Street From "UNZ"  
091 GUIDANCE CENTER To "GO"  
Board of Trustees FIRST READING

RECOMMENDED subject to no access to North Lamar Boulevard, and limited to Guidance Services use.

(On Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

## ITEMS POSTPONED

Postponed to July 16, 1987 consideration of a resolution to consider approval of Amendemnt No. 5 in the amount of \$2,850,000.00 to the Professional Services Agreement, between the City of Austin and the Joint Venture of Espey, Huston and Associates, Inc., for the 1984-87 Additional Capacity Improvements of Ullrich Water Treatment Facilities. C.I.P. Nos. 85/22-55 and 85/22-27.

Postponed to July 16, 1987 consideration of a resolution concerning South Austin Outfall options.

## REVOLVING LOAN FUND POLICY

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, adopted a resolution establishing a Revolving Loan Fund Policy for the Standard Rehabilitation Program. (5-0 Vote, Councilmembers Carl-Mitchell and Humphrey out of the room)

## OPERATING BUDGET AMENDMENT

The Council, on Councilmember Shipman's motion, Mayor Cooksey's second, passed through FIRST READING ONLY an ordinance amending the 1986-87 Operating Budget by appropriating \$25,000.00 from the interest proceeds from the Economic Development Trust Fund for hiring of a fiscal consultant for Austin Plan. (4-3 Vote, Councilmember Urdy, Mayor Cooksey and Mayor Pro Tem Trevino voted NO.)

## ULLRICH WATER TREATMENT FACILITIES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution approving Amendment No. 4 to the Professional Services Agreement between the City of Austin and the Joint Venture of Espey, Huston & Associates, Inc/Engineering Science, Inc. for the 1984-87 Additional Capacity Improvements of the Ullrich Water Treatment Facilities. C.I.P. No. 85/22-55. (7-0 Vote)

## SUPERCONDUCTOR TASK FORCE

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution to approve the creation of a Superconductor Task Force. (7-0 Vote)

## CONTRACT TO BIO GRO, INC.

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (6-0 Vote, Councilmember Urdy out of the room)

BIO GRO, INC.  
1916 Forest View Drive  
Annapolis, Maryland

- CAPITAL IMPROVEMENTS PROGRAM - Hornsby  
Bend Wastewater Treatment Plant Improve-  
ments Lagoon II Sludge Removal, Water &  
Wastewater Dept. Total \$5,431,304.00  
C.I.P. No. 85/23-15

## ACCESS TV FUND BUDGET

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second adopted a resolution approving adoption of fiscal year 1987-1988 Access Television Fund Budget. (6-0 Vote, Councilmember Urdy out of the room)

## POSTPONEMENT

Postponed to July 16, 1987 is consideration of reauthorizing the Brushy Creek Regional Wastewater System contract, with proposed amendment, and reallocation of Water and Wastewater Utility capital funds as required, to finance the authorized construction program.

## SALES TAX BASE

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution supporting efforts to broaden the sales tax base to include taxation of services, but to retain exemption for food, drugs, medicine, medical services, and medical supplies. (7-0 Vote)

## CAPITAL IMPROVEMENT BUSINESS LOAN PROGRAM

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution amending the Capital Improvement Business Loan Program (CIBLP) to allow City participation in loans of up to \$75,000.00 to represent a maximum of 50% of the total capital financing for smaller projects. For larger projects, the City would participate at 50% on the first \$150,000.00 of the loan, and at no more than 25% of the balance in excess of \$150,000.00 up to \$100,000.00, the maximum CIB loan participation permitted. (7-0 Vote)

## WILLIAMSON COUNTY RURAL FIRE DISTRICT

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, approved an additional extension of six months for the Williamson County Rural Fire District to form its boundary lines. (7-0 Vote)

## UTILITY HEARING EXAMINER ORDINANCE

Council had before them for consideration amendments to the Utility Hearing Examiner Ordinance.

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Shipman to adopt a resolution removing Section 2, Paragraph c from the Utility Hearing Examiner Ordinance, which would remove City Councilmembers from ex parte communication prohibition.

Substitute Motion - FAILED

Councilmember Humphrey made a substitute motion, seconded by Councilmember Nofziger, repealing the Utility Hearings Examiner Resolution (his word) for the rate year 1988 and keep the consumer advocate. MOTION FAILED by a vote of 3-4 with Councilmember Urdy, Mayor Cooksey, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell voting NO.

Roll Call on Main Motion

4-3 Vote, Councilmember Urdy, Mayor Cooksey and Mayor Pro Tem Trevino voted NO

## PEER PANELS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 860417-J to clarify the role of peer panels in making funding recommendations. (6-1 Vote, Mayor Pro Tem Trevino voted NO.)

## CAPITAL DOME LIGHTING

Councilmember Carl-Mitchell discussed Capital Dome Lighting.

## ITEM POSTPONED

Postponed indefinitely was Councilmember Humphrey's item on Lakeview PUD Annexation.

## ADJOURNMENT

Council adjourned its meeting at 12:35 a.m. on July 3, 1987.